

## § 236.831

brake application may be forestalled by means of the acknowledging device.

### § 236.831 Time, delay.

As applied to an automatic train stop or train control system, the time which elapses after the onboard apparatus detects a more restrictive indication until the brakes start to apply.

[49 FR 3388, Jan. 26, 1984]

### § 236.831a Track, main.

A track, other than auxiliary track, extending through yards and between stations, upon which trains are operated by timetable or train orders, or both, or the use of which is governed by block signals.

### § 236.832 Train.

A locomotive or more than one locomotive coupled, with or without cars.

### § 236.833 Train, opposing.

A train, the movement of which is in a direction opposite to and toward another train on the same track.

### § 236.834 Trip.

A movement of a locomotive over all or any portion of automatic train stop, train control or cab signal territory between the terminals for that locomotive; a movement in one direction.

CROSS REFERENCE: Trip-arm, see § 236.744.

### § 236.835 Trunking.

A casing used to protect electrical conductors.

### § 236.836 Trunnion.

A cylindrical projection supporting a revolving part.

### § 236.837 Valve, electro-pneumatic.

A valve electrically operated which, when operated, will permit or prevent passage of air.

### § 236.838 Wire, shunt.

A wire forming part of a shunt circuit.

## 49 CFR Ch. II (10–1–98 Edition)

### APPENDIX A TO PART 236—CIVIL PENALTIES<sup>1</sup>

Section	Violation	Willful violation
<b>Subpart A—Rules and Instructions—All Systems</b>		
<i>General:</i>		
236.0 Applicability, minimum requirements .....	\$2,500	\$5,000
236.1 Plans, where kept .....	1,000	2,000
236.2 Grounds .....	1,000	2,000
236.3 Locking of signal apparatus housings:		
(a) Power interlocking machine cabinet not secured against unauthorized entry .....	2,500	5,000
(b) other violations .....	1,000	2,000
236.4 Interference with normal functioning of device .....	5,000	7,500
236.5 Design of control circuits on closed circuit principle .....	1,000	2,000
236.6 Hand-operated switch equipped with switch circuit controller .....	1,000	2,000
236.7 Circuit controller operated by switch-and-lock movement .....	1,000	2,000
236.8 Operating characteristics of electro-magnetic, electronic, or electrical apparatus	1,000	2,000
236.9 Selection of circuits through indicating or annunciating instruments .....	1,000	2,000
236.10 Electric locks, force drop type; where required .....	1,000	2,000
236.11 Adjustment, repair, or replacement of component .....	2,500	5,000
236.12 Spring switch signal protection; where required .....	1,000	2,000
236.13 Spring switch; selection of signal control circuits through circuit controller .....	1,000	2,000
236.14 Spring switch signal protection; requirements .....	1,000	2,000
236.15 Timetable instructions	1,000	2,000
236.16 Electric lock, main track releasing circuit:		
(a) Electric lock releasing circuit on main track extends into fouling circuit where turnout not equipped with derail at clearance point either pipe-connected to switch or independently locked, electrically .....	2,500	5,000
(b) other violations .....	1,000	2,000
236.17 Pipe for operating connections, requirements	1,000	2,000
<i>Roadway Signals and Cab Signals—</i>		
236.21 Location of roadway signals .....	1,000	2,000
236.22 Semaphore signal arm; clearance to other objects .....	1,000	2,000
236.23 Aspects and indications	1,000	2,000
236.24 Spacing of roadway signals .....	2,500	5,000
236.26 Buffing device, maintenance .....	1,000	2,000

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APPENDIX A TO PART 236—CIVIL PENALTIES<sup>1</sup>—  
Continued

Section	Violation	Willful viola- tion
<i>Track Circuits—</i>		
236.51 Track circuit require- ments:		
(a) Shunt fouling circuit used where permissible speed through turnout greater than 45 m.p.h. ....	2,500	5,000
(b) Track relay not in de-en- ergized position or device that functions as track relay not in its most re- strictive state when train, locomotive, or car occu- pies any part of track cir- cuit, except fouling sec- tion of turnout of hand- operated main-track crossover .....	2,500	5,000
(c) other violations .....	1,000	2,000
236.52 Relayed cut-section .....	1,000	2,000
236.53 Track circuit feed at grade crossing .....	1,000	2,000
236.54 Minimum length of track circuit .....	1,000	2,000
236.55 Dead section; maxi- mum length .....	1,000	2,000
236.56 Shunting sensitivity .....	2,500	5,000
236.57 Shunt and fouling wires:		
(a) Shunt or fouling wires do not consist of at least two discrete conductors ..	2,500	5,000
(b) other violations .....	1,000	2,000
236.58 Turnout, fouling sec- tion:		
(a) Rail joint in shunt fouling section not bonded .....	2,500	5,000
(b) other violations .....	1,000	2,000
236.59 Insulated rail joints .....	1,000	2,000
236.60 Switch shunting circuit; use restricted .....	2,500	5,000
<i>Wires and Cables—</i>		
236.71 Signal wires on pole line and aerial cable .....	1,000	2,000
236.73 Open-wire transmission line; clearance to other cir- cuits .....	1,000	2,000
236.74 Protection of insulated wire; splice in underground wire .....	1,000	2,000
236.76 Tagging of wires and interference of wires or tags with signal apparatus .....	1,000	2,000
<i>Inspections and Tests; All Sys- tems—</i>		
236.101 Purpose of inspection and tests; removal from serv- ice or relay or device failing to meet test requirements .....	2,500	5,000
236.102 Semaphore or search- light signal mechanism .....	1,000	2,000
236.103 Switch circuit control- ler or point detector .....	1,000	2,000
236.104 Shunt fouling circuit ...	1,000	2,000
236.105 Electric lock .....	1,000	2,000
236.106 Relays .....	1,000	2,000
236.107 Ground tests .....	1,000	2,000

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Section	Violation	Willful viola- tion
236.108 Insulation resistance tests, wires in trunking and cables:		
(a) Circuit permitted to func- tion on a conductor hav- ing insulation resistance value less than 200,000 ohms .....	2,500	5,000
(b) other violations .....	1,000	2,000
236.109 Time releases, timing relays and timing devices .....	1,000	2,000
236.110 Results of tests .....	1,000	2,000
<b>Subpart B—Automatic Block Signal Systems</b>		
236.201 Track circuit control of signals .....	1,000	2,000
236.202 Signal governing movements over hand-oper- ated switch .....	1,000	2,000
236.203 Hand-operated cross- over between main tracks; protection .....	1,000	2,000
236.204 Track signaled for movements in both directions, requirements .....	1,000	2,000
236.205 Signal control circuits; requirements .....	1,000	2,000
236.206 Battery or power sup- ply with respect to relay; loca- tion .....	1,000	2,000
<b>Subpart C—Interlocking</b>		
236.207 Electric lock on hand- operated switch; control:		
(a) Approach or time lock- ing of electric lock on hand-operated switch can be defeated by unauthor- ized use of emergency device which is not kept sealed in the non-release position .....	2,500	5,000
(b) other violations .....	1,000	2,000
236.301 Where signals shall be provided .....	1,000	2,000
236.302 Track circuits and route locking .....	1,000	2,000
236.303 Control circuits for signals, selection through cir- cuit controller operated by switch points or by switch locking mechanism .....	1,000	2,000
236.304 Mechanical locking or same protection effected by circuits .....	1,000	2,000
236.305 Approach or time locking .....	1,000	2,000
236.306 Facing point lock or switch-and-lock movement ....	1,000	2,000
236.307 Indication locking:		
236.308 Mechanical or electric locking or electric circuits; req- uisites .....	1,000	2,000

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APPENDIX A TO PART 236—CIVIL PENALTIES<sup>1</sup>—  
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Section	Violation	Willful viola- tion
236.309 Loss of shunt protec- tion; where required: (a) Loss of shunt of five seconds or less permits release of route locking of power-operated switch, movable point frog, or de- rail .....	2,500	5,000
(b) Other violations .....	1,000	2,000
236.310 Signal governing ap- proach to home signal .....	1,000	2,000
236.311 Signal control circuits, selection through track relays or devices functioning as track relays and through signal mechanism contacts and time releases at automatic inter- locking .....	1,000	2,000
236.312 Movable bridge, inter- locking of signal appliances with bridge devices: (a) Emergency bypass switch or device not locked or sealed .....	2,500	5,000
(b) Other violations .....	1,000	2,000
236.314 Electric lock for hand- operated switch or derail: (a) Approach or time lock- ing of electric lock at hand-operated switch or derail can be defeated by unauthorized use of emergency device which is not kept sealed in non- release position .....	2,500	5,000
(b) Other violations .....	1,000	2,000
<i>Rules and Instructions—</i>		
236.326 Mechanical locking re- moved or disarranged; re- quirement for permitting train movements through interlock- ing .....	1,000	2,000
236.327 Switch, movable-point frog or split-point derail .....	1,000	2,000
236.328 Plunger of facing- point .....	1,000	2,000
236.329 Bolt lock .....	1,000	2,000
236.330 Locking dog of switch and lock movement .....	1,000	2,000
236.334 Point detector .....	1,000	2,000
236.335 Dogs, stops and trunnions of mechanical lock- ing .....	1,000	2,000
236.336 Locking bed .....	1,000	2,000
236.337 Locking faces of me- chanical locking; fit .....	1,000	2,000
236.338 Mechanical locking re- quired in accordance with locking sheet and dog chart ...	1,000	2,000
236.339 Mechanical locking; maintenance requirements ....	1,000	2,000
236.340 Electromechanical interlocking machine; locking between electrical and me- chanical levers .....	1,000	2,000
236.341 Latch shoes, rocker links, and quadrants .....	1,000	2,000
236.342 Switch circuit control- ler .....	1,000	2,000

Section	Violation	Willful viola- tion
<i>Inspection and Tests—</i>		
236.376 Mechanical locking ....	1,000	2,000
236.377 Approach locking .....	1,000	2,000
236.378 Time locking .....	1,000	2,000
236.379 Route locking .....	1,000	2,000
236.380 Indication locking .....	1,000	2,000
236.381 Traffic locking .....	1,000	2,000
236.382 Switch obstruction test .....	1,000	2,000
236.383 Valve locks, valves, and valve magnets .....	1,000	2,000
236.384 Cross protection		
236.386 Restoring feature on power switches		
236.387 Movable bridge lock- ing .....	1,000	2,000

Subpart D—Traffic Control Systems Standards

Section	Violation	Willful viola- tion
236.401 Automatic block signal system and interlocking stand- ards applicable to traffic con- trol systems:		
236.402 Signals controlled by track circuits and control oper- ator .....	1,000	2,000
236.403 Signals at controlled point .....	1,000	2,000
236.404 Signals at adjacent control points .....	1,000	2,000
236.405 Track signaled for movements in both directions, change of direction of traffic ...	1,000	2,000
236.407 Approach or time locking; where required .....	1,000	2,000
236.408 Route locking .....	1,000	2,000
236.410 Locking, hand-oper- ated switch; requirements: (a) Hand-operated switch on main track not elec- trically or mechanically locked in normal position where signal not provided to govern movement to main track, movements made at speeds in ex- cess of 20 m.p.h., and train or engine move- ments may clear main track .....	2,500	5,000
(b) Hand-operated switch on signaled siding not electrically or mechani- cally locked in normal po- sition where signal not provided to govern move- ments to signaled siding, train movements made at speeds in excess of 30 m.p.h., and train or en- gine movements may clear signaled siding .....	2,500	5,000

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Section	Violation	Willful viola- tion
(c) Approach or time locking of electric lock at hand-operated switch can be defeated by use of emergency release device of electric lock which is not kept sealed in non-release position .....	2,500	5,000
(d) other violations .....	1,000	2,000
<i>Rules and Instructions—</i>		
236.426 Interlocking rules and instructions applicable to traffic control systems .....	1,000	2,000
236.476 Interlocking inspections and tests applicable to traffic control systems .....	1,000	2,000

**Subpart E—Automatic Train Stop, Train Control and Cab Signal Systems Standards**

236.501 Forestalling device and speed control .....	1,000	2,000
236.502 Automatic brake application, initiation by restrictive block conditions stopping distance in advance .....	1,000	2,000
236.503 Automatic brake application; initiation when predetermined rate of speed exceeded .....	1,000	2,000
236.504 Operations interconnected with automatic block-signal system .....	1,000	2,000
236.505 Proper operative relation between parts along roadway and parts on locomotive .....	1,000	2,000
236.506 Release of brakes after automatic application .....	1,000	2,000
236.507 Brake application; full service .....	1,000	2,000
236.508 Interference with application of brakes by means of brake valve .....	1,000	2,000
236.509 Two or more locomotives coupled .....	1,000	2,000
236.511 Cab signals controlled in accordance with block conditions stopping distance in advance .....	1,000	2,000
236.512 Cab signal indication when locomotive enters blocks .....	1,000	2,000
236.513 Audible indicator .....	1,000	2,000
236.514 Interconnection of cab signal system with roadway signal system .....	1,000	2,000
236.515 Visibility of cab signals .....	1,000	2,000
236.516 Power supply .....	1,000	2,000
<i>Rules and Instructions; Roadway—</i>		
236.526 Roadway element not functioning properly .....	2,500	5,000
236.527 Roadway element insulation resistance .....	1,000	2,000

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Section	Violation	Willful viola- tion
236.528 Restrictive condition resulting from open hand-operated switch; requirement .....	1,000	2,000
236.529 Roadway element inductor; height and distance from rail .....	1,000	2,000
236.531 Trip arm; height and distance from rail .....	1,000	2,000
236.532 Strap iron inductor; use restricted .....	1,000	2,000
236.534 Rate of pressure reduction; equalizing reservoir or brake pipe .....	1,000	2,000
236.551 Power supply voltage .....	1,000	2,000
236.552 Insulation resistance ..	1,000	2,000
236.553 Seal, where required ..	2,500	5,000
236.554 Rate of pressure reduction; equalizing reservoir or brake pipe .....	1,000	2,000
236.555 Repaired or rewound receiver coil .....	1,000	2,000
236.556 Adjustment of relay ...	1,000	2,000
236.557 Receiver; location with respect to rail .....	1,000	2,000
236.560 Contact element, mechanical trip type; location with respect to rail .....	1,000	2,000
236.562 Minimum rail current required .....	1,000	2,000
236.563 Delay time .....	1,000	2,000
236.564 Acknowledging time ..	1,000	2,000
236.565 Provision made for preventing operation of pneumatic brake-applying apparatus by double-heading clock; requirement .....	1,000	2,000
236.566 Locomotive of each train operating in train stop, train control or cab signal territory; equipped .....	5,000	7,500
236.567 Restrictions imposed when device fails and/or is cut out en route:		
(a) Report not made to designated officer at next available point of communication after automatic train stop, train control, or cab signal device fails and/or is cut en route .....	5,000	7,500
(b) Train permitted to proceed at speed exceeding 79 m.p.h. where automatic train stop, train control, or cab signal device fails and/or is cut out en route when absolute block established in advance of train on which device is inoperative .....	5,000	7,500
(c) other violations .....	1,000	2,000
236.568 Difference between speeds authorized by roadway signal and cab signal; action .....	1,000	2,000
<i>Inspection and Tests; Roadway—</i>		
236.576 Roadway element .....	1,000	2,000

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Section	Violation	Willful violation
236.577 Test, acknowledgment, and cut-in circuits .....	1,000	2,000
<i>Inspection and Tests; Locomotive—</i>		
236.586 Daily or after trip test	2,500	5,000
236.587 Departure test:		
(a) Test of automatic train stop, train control, or cab signal apparatus on locomotive not made on departure of locomotive from initial terminal if equipment on locomotive not cut out between initial terminal and equipped territory .....	5,000	7,500
(b) Test of automatic train stop, train control, or cab signal apparatus on locomotive not made immediately on entering equipped territory, if equipment on locomotive cut out between initial terminal and equipped territory .....	5,000	7,500
(c) Automatic train stop, train control, or cab signal apparatus on locomotive making more than one trip within 24-hour period not given departure test within corresponding 24-hour period .....	5,000	7,500
(d) other violations .....	2,500	5,000
236.588 Periodic test .....	2,500	5,000
236.589 Relays .....	2,500	5,000
236.590 Pneumatic apparatus:		
(a) Automatic train stop, train control, or cab signal apparatus not inspected and cleaned at least once every 736 days .....	2,500	5,000
(b) other violations .....	1,000	2,000

**Subpart F—Dragging Equipment and Slide Detectors and Other Similar Protective Devices; Standards**

236.601 Signals controlled by devices; location .....	1,000	2,000
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<sup>1</sup>A penalty may be assessed against an individual only for a willful violation. The Administrator reserves the right to assess a penalty of up to \$22,000 for any violation where circumstances warrant. See 49 CFR part 209, appendix A.

[53 FR 52936, Dec. 29, 1988, as amended at 63 FR 11624, Mar. 10, 1998]

**PART 239—PASSENGER TRAIN  
EMERGENCY PREPAREDNESS**

**Subpart A—General**

Sec.  
239.1 Purpose and scope.

239.3 Application.  
239.5 Preemptive effect.  
239.7 Definitions.  
239.9 Responsibility for compliance.  
239.11 Penalties.  
239.13 Waivers.  
239.15 Information collection.

**Subpart B—Specific Requirements**

239.101 Emergency preparedness plan.  
239.103 Passenger train emergency simulations.  
239.105 Debriefing and critique.  
239.107 Emergency exits.

**Subpart C—Review, Approval, and Retention of Emergency Preparedness Plans**

239.201 Emergency preparedness plan; filing and approval.  
239.203 Retention of emergency preparedness plan.

**Subpart D—Operational (Efficiency) Tests; Inspection of Records and Recordkeeping**

239.301 Operational (efficiency) tests.  
239.303 Electronic recordkeeping.

APPENDIX A TO PART 239—SCHEDULE OF CIVIL PENALTIES

AUTHORITY: 49 U.S.C. 20102–20103, 20105–20114, 20133, 21301, 21304, and 21311; 49 U.S.C. 20133; 28 U.S.C. 2461 note; and 49 CFR 1.49(c), (g), (m).

SOURCE: 63 FR 24676, May 4, 1998, unless otherwise noted.

**Subpart A—General**

**§ 239.1 Purpose and scope.**

(a) The purpose of this part is to reduce the magnitude and severity of casualties in railroad operations by ensuring that railroads involved in passenger train operations can effectively

<sup>1</sup>A penalty may be assessed against an individual only for a willful violation. The Administrator reserves the right to assess a penalty of up to \$22,000 for any violation where circumstances warrant. See 49 U.S.C. 21301, 21304, and 49 CFR part 209, appendix A. Further designations, not found in the CFR citation for certain provisions are FRA Office of Chief Counsel computer codes added as a suffix to the CFR citation and used to expedite imposition of civil penalties for violations. FRA reserves the right, should litigation become necessary, to substitute in its complaint the CFR citation in place of the combined designation cited in the penalty demand letter.